

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA,

CASE NO. 22-60078-CR-RUIZ

vs.

ANDY TOVAR,

Defendant.

**DEFENDANT ANDY TOVAR'S UNOPPOSED MOTION TO ALLOW ATTORNEY
EMMANUEL PEREZ TO HAVE A CONTACT VISIT AT FCI LEWISBURG**

COMES NOW, Defendant, ANDY TOVAR, by and through undersigned counsel hereby files this Motion to Allow Attorney Emmanuel Perez to have a Contact Visit on August 16, 2024 at FCI Lewisburg with Pretrial Inmate Andy Tovar and in support thereof states as follows:

1. On February 16, 2024, undersigned counsel went to visit Defendant, Andy Tovar in Lewisburg. The visit was not as productive as undersigned needed for the following reasons:
 - a. Meeting was conducted within fifteen (15) feet of two (2) guards who stood and listened in on attorney client communication, and
 - b. The guards at FCI Lewisburg did not allow the pretrial Defendant to review or take any "papers" back to his cell which included correspondence from undersigned counsel.
 - c. The Guards wanted counsel to visit Mr. Tovar in a glass booth with an inoperable phone which after complaints from undersigned that he was "pre-trial" a supervisor had to be called for "approval."
2. Undersigned counsel now needs to go meet with the pretrial Defendant again regarding a potential plea and/or plea negotiations.

3. After weeks of attempting to schedule the visit, today we were able to schedule the visit with FCI Lewisburg for August 16, 2024. Emails attached as Exhibit A.
4. Undersigned counsel seeks an Order from this Court “instructing” or otherwise “ordering” FCI Lewisburg to facilitate a physical contact visit (no glass booth) with the pretrial Inmate where undersigned is able to have/do the following:
 - a. a meaningful attorney client conversation outside the ear shot of any guards, and
 - b. fully review any documents
5. Undersigned counsel has conferred with AUSA Dwayne Williams, who is acting on behalf of AUSA Brian Dobbins. AUSA Williams advised that the Government does not oppose the proposed order granting this motion; provided defense counsel complies with the Amended Protective Order (DE 128), and especially, paragraphs (2)(b) and (h) thereof.

WHEREFORE, Defendant respectfully requests that this Court grant this its motion to Allowing Attorney Emmanuel Perez to have a Contact Visit on August 16, 2024 at FCI Lewisburg with Pretrial Inmate Andy Tovar.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing document with the Clerk of the Court using CM/EFC which sent e-mail notification of such filing to all CM/EFC participants in this case on this 12TH day of July 2024.

EMMANUEL PEREZ & ASSOCIATES, P.A.
901 Ponce De Leon Blvd, Suite 101
Coral Gables, FL 33134
Tel. (305)442-7443
Fax (305)441-9218
eService: courtmail@lawperez.com

By: /s/Emmanuel Perez
EMMANUEL PEREZ
F.B.N. 586552



Assistant

From: Assistant
Sent: Monday, July 08, 2024 10:59 AM
To: btharp@bop.gov
Subject: Andy Tovar - Reg No.: 94213-083 / USA vs Andy Tovar - Case No: 22-CR-60078
Importance: High

Good morning Mr. Tharp,

I am following up on my email below.

I called FCI Lewisburg again today and was transferred to the Case Manager but he didn't answer so I left a voicemail.

Mr. Perez represents the inmate Andy Tovar and he would like to schedule a legal call with Mr. Tovar. Please advise how we can do so. Thank you!

Kind regards,

Olivia Reyes

email: assistant@lawperez.com

E-mail for Service of Pleadings: courtmail@lawperez.com



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From: Assistant
Sent: Monday, June 24, 2024 10:11 AM
To: btharp@bop.gov

Subject: Andy Tovar - Reg No.: 94213-083 / USA vs Andy Tovar - Case No: 22-CR-60078

Importance: High

Good morning Mr. Tharp,

My name is Olivia and I am the assistant to Attorney Emmanuel Perez. Mr. Perez represents inmate Andy Tovar and he would like to schedule a legal call with Mr. Tovar. Please advise how we can do so. Thank you!

Kind regards,

Olivia Reyes

email: assistant@lawperez.com

E-mail for Service of Pleadings: courtmail@lawperez.com



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Assistant

From: Assistant
Sent: Thursday, June 20, 2024 10:10 AM
To: 'Derr, Tiffani (BOP)'
Subject: RE: Andy Tovar - Reg No.: 94213-083 / USA vs Andy Tovar - Case No: 22-CR-60078
Importance: High

Good morning Tiffani,

We would like to schedule a visit for Attorney Perez to go visit Client/Inmate Andy Tovar.

Please disregard my previous emails. We would like to schedule it for Friday, August 16, 2024.

Additionally, Mr. Perez would like to schedule a Legal telephone call with Mr. Tovar prior to the in person meeting. Please let me know how we can do so.

Please advise at your earliest convenience. Additionally, please advise if there is anything you need me to provide in order to schedule the visit. Thank you!

Kind regards,

Olivia Reyes

email: assistant@lawperez.com

E-mail for Service of Pleadings: courtmail@lawperez.com



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Assistant

From: Assistant
Sent: Thursday, July 11, 2024 8:44 AM
To: dreinard@bop.gov
Subject: Andy Tovar - Reg No.: 94213-083 / USA vs Andy Tovar - Case No: 22-CR-60078
Importance: High

Good morning Mr. Reinard,

We would like to schedule a visit for Attorney Perez to go visit Client/Inmate Andy Tovar. We would like to schedule the visit for Friday, August 16, 2024.

Additionally, Mr. Perez would like to schedule a Legal telephone call with Mr. Tovar prior to the in person meeting. Please let me know how we can do so.

Please advise at your earliest convenience. Additionally, please advise if there is anything you need me to provide in order to schedule the visit. Thank you!

Kind regards,

Olivia Reyes

email: assistant@lawperez.com

E-mail for Service of Pleadings: courtmail@lawperez.com



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